

Statement of Dr. Catriona McLeish
The Harvard Sussex Program on Chemical and Biological Weapons
Fourth Five-Year Review Conference of the Chemical Weapons Convention
The Hague, The Netherlands
November 23, 2018

Mr Chairman, Excellencies, Distinguished Representatives,

This Review Conference provides you with space to reflect upon how this Convention has operated over the last five years and what must be done in the five that follow so that your collective vision of a world free of chemical weapons is realised. Coming at a time of change in both the scientific and security landscapes there are three areas where we strongly urge your attention:

Reaffirm core understandings and boundaries

The first concerns reaffirming core understandings and boundaries. States Parties need to declare with one voice their absolute condemnation of the use of chemical weapons, by anyone, anywhere, and under any circumstances. Such a declaration should also reaffirm understandings about the boundaries between what is permitted and prohibited and to what some refer to as the 'General Purpose Criterion', that understanding contained in Article 2 and Article 6 that all toxic chemicals are chemical weapons if they are intended for purposes that are not permitted by this Convention or are held in types and quantities that are not compatible with permitted purposes. A declaration like this may seem like routine business for a Review Conference. In these troubling times, it is not. A declaration is a unifying action and, by clearly demarcating boundaries, it can send a compelling message to anyone contemplating use that their actions will not be accepted.

However, the time for declarations alone has passed. To create an inhospitable environment for those contemplating use also requires an unwavering commitment towards investigating all credible allegations of use and towards identifying the perpetrators, organisers and sponsors of use. Accordingly, we ask for agreement to support the development of the internal capacity of the Technical Secretariat for responding to such instances of alleged use and non-compliance.

A quantitative and qualitative focus on implementation

A second area for attention is the comprehensive implementation of all obligations of the Convention.

The Convention requires all States Parties to have a fully functioning National Authority and for comprehensive measures, including penal legislation, to be in place. Unfortunately, this is currently not the case; comprehensive national implementation should be a continued focus of work.

However moving forward, qualitative evaluation of how this Convention is being implemented should be also embraced. One such method to do this is through 'peer review.' An established practice in, for example, the African Union and OECD, peer review has also garnered considerable interest in the context of the Biological Weapons Convention. There it

has proven to be a flexible tool and has been used to consider the implementation of a variety of that Convention's obligations. If qualitative evaluation of implementation practices is not already routinely performed, the Review Conference may wish to consider exploring its potential.

Enhancing institutional flexibility

Interlinked to the above issues is a third area requiring attention: the Organisation, particularly the Technical Secretariat, needs to be agile. The events of the last five years have exposed the urgent requirement to dedicate considerable effort towards preventing the re-emergence of chemical weapons. This is a complex task. To be successful, the Technical Secretariat will likely need to reconfigure and extend its skills portfolio, create and actively maintain new networks, and adopt new working methods. At the same time, the TS must also meaningfully retain accumulated knowledge and skills.

To that end, the current tenure policy should be considered in terms of whether it provides value moving forward. For the policy to continue as is, there needs to be certainty that the skills and knowledge lost can be replaced and/or approximated. Yet absencing oneself for several years from some areas of science and industrial activity can be career-ending.

This Review Conference should consider support for enhancing institutional flexibility, including through amendment of the current tenure policy.

Mr Chairman,

Preventing re-emergence of chemical weapons also rests upon this Organisations' relations with private, public and civil actors. Whilst the multi-stakeholder approach has been recognised for some time, and relations have grown stronger since the last Review Conference, it remains the case that the OPCW can appear distant and technocratic. This Review Conference provides a platform for directing the nature of future engagement related work and should task the TS with taking a more active engagement stance, thickening existing relationships as well as actively developing new ones.

Mr Chairman, distinguished delegates: The Harvard Sussex Program has been and remains a long-standing supporter of the Chemical Weapons Convention. We stand ready to assist you in your efforts to successfully implement it.

We wish you a productive Review Conference and thank you for your attention. I request that this statement be made part of the official on-line OPCW RC4 proceedings of the OPCW.